

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 v.
6 CALEB MITCHELL ROGERS,
7 Defendant.

Case No.: 2:22-cr-00064-APG-EJY

**ORDER AFFIRMING REPORT AND
RECOMMENDATION REGARDING
MOTION TO SUPPRESS**

[ECF Nos. 49, 60]

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9 Defendant Caleb Rogers filed a motion to suppress purported eyewitness identifications
10 of him by two people. ECF No. 49. Magistrate Judge Youchah recommended that the motion to
11 suppress be denied. ECF No. 60. Mr. Rogers filed an objection to that recommendation (ECF
12 No. 68) and the Government responded (ECF No. 70). I have conducted a *de novo* review of the
13 motion to suppress and related papers as required by Local Rule IB 3-2(b). Judge Youchah's
14 Report and Recommendation sets forth the proper legal analysis and factual bases for the
15 decision, and I adopt it as my own.

16 I HEREBY ORDER that Magistrate Judge Youchah's Report and Recommendation
17 **(ECF No. 60) is accepted.** Mr. Rogers' motion to suppress **(ECF No. 49) is denied** without
18 prejudice to renew his request to suppress or strike the evidence during the trial.

19 DATED this 12th day of June, 2023.

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21 ANDREW P. GORDON
22 UNITED STATES DISTRICT JUDGE
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